

IN THE DRAWINGS:

Applicant's submit proposed changes to Figure 6, as follows: item 602,

<H1> Feeding your ostrich [[<H2>]] </H1>

Upon examiner's approval to changes, Applicant will submit a Figure 6 Replacement Sheet with correction.

REMARKS

Claims 1-41 are pending in the present application. Claims 11-12 and 27-28 were canceled and claims 1-10, 13-18, 21, 23, 24, 25, 33, and 38-41 were amended.

Reconsideration of the claims is respectfully requested.

Both Figure 6 in the drawings and the discussion of this figure in the specification have been amended to remove a typographical error and to reflect the proper "grammar" in the use of tags.

The Examiner is thanked for the favor of an interview. The arguments below summarize the discussion held in the interview.

I. 35 U.S.C. § 101

The examiner has rejected claims 1 and 7 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed. However, these claims have now been amended to recite a computer-implemented method, which is understood to overcome the rejection.

II. 35 U.S.C. § 103, Obviousness

II A. Claims 1-33 and 38-41

The examiner has rejected claims 1-33, and 38-41 under 35 U.S.C. § 103 as being obvious over MacKenty et al (U.S. Patent 6,085,161), hereinafter MacKenty. This rejection is respectfully traversed.

The office action states:

In regard to independent Claim 1 (and similarly independent Claims 7, 17, 23, 33, and 38-40), ... MacKenty also teaches that responsive to an identification of the presence of the selected tag, audibly presenting the text using the emphasis level prior to presenting other text within the document in that when the reader (14) begins interpreting the tree structure representing the example HTML document, it instructs the sonification engine to produce a non-speech sound that represents the beginning of the body of the document, as marked by the body <BODY> tag. As the sound is played (or after it ends if the user prefers), the reader enqueues the text at the beginning of the document ("The Hypertext Markup Language ...") with the speech synthesis module. As soon as the word "Hypertext" is begun, the reader (14) enqueues the encountered hotlink tag with the sonification engine,

causing the sonification engine to produce a sound indicating that the text currently being read aloud is a hotlink to another document, as marked by the <A> tag. In one embodiment, this sound continues to be heard until the end of the hotlink, as marked by the <IA> tag, is read. Thus, the user will hear the sound representing the "hotlink" concept while the text of that hotlink is being read. The next phrase ("is a standard...") is read without any non speech sound, as there is no markup assigning any special meaning to that text. The next phrase ("World Wide Web...") is read while the hotlink sound is again played, because it is marked up as a hotlink. Similarly, the next sentence is read with the hotlink sound being produced whenever the text being read is within the <A> and <IA> tags (Col. 7, lines 66-67; example HTML file; Col. 7, lines 43-56; Col. 8, lines 1-25). To summarize, MacKenty teaches that the reader begins interpreting the document once an HTML document has been obtained and parsed by the parser (Col. 4, lines 59-62). It then processes the document. When it encounters a tag, such as an indication of a hyperlink, it can present a non-speech sound, then the text contained within the hyperlink (e.g., THIS TEXT<IA> with speech synthesis, then another non-speech sound when it encounters the close hyperlink tag (<IA>). Thus, a tag is read prior to presenting other text within the document.

Office action of 04/01/2005, excerpted from pages 3-6

If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (Fed. Cir. 1985). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). In addition, a proper *prima facie* case of obviousness cannot be established by combining the teachings of the prior art absent some teaching, incentive, or suggestion supporting the combination. *In re Napier*, 55 F.3d 610, 613, 34 U.S.P.Q.2d 1782, 1784 (Fed. Cir. 1995); *In re Bond*, 910 F.2d 831, 834, 15 U.S.P.Q.2d 1566, 1568 (Fed. Cir. 1990).

Exemplary claim 1 reads:

1. (Currently amended) A computer-implemented method in a data processing system for audibly presenting a document, the computer-implemented method comprising:
 - parsing the document to identify an occurrence of a selected tag, the selected tag having a type of emphasis that has been chosen for early presentation, wherein a first text is associated with the occurrence of the selected tag; and

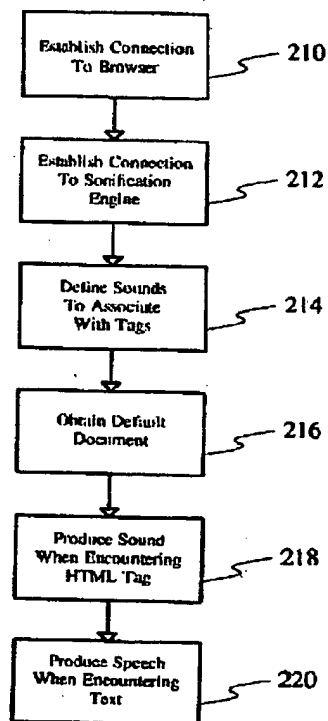
audibly presenting the document to a user, wherein if an occurrence of the selected tag is identified, the first text is presented prior to presenting other text within the document that is not associated with the selected tag.

The office action has not presented a proper *prima facie* rejection in that MacKenty does not disclose or suggest the claimed invention in that it does not meet the recitation, *wherein if an occurrence of the selected tag is identified, the first text is presented prior to presenting other text within the document that is not associated with the selected tag.*

While the present application and MacKenty are both directed to presenting web pages audibly and both use tags to provide this service, the two programs present the documents differently, as will be further discussed.

Figure 2 of MacKenty is reproduced below. It is submitted that steps 218 and 220 in this flowchart of MacKenty demonstrate the audible results of the method shown in this patent. As these steps show, MacKenty's user not only hears speech that provides the

Fig. 2



text (step 220), but also hears another sound that provides notification to the user that the current text is associated with a specific tag, such as <heading> or <body>. Thus, as this method executes, the text will be read in order, but with an additional sound to provide other contextual clues. The comments of the examiner appear to support this understanding. However, there is nothing in this figure or elsewhere in the patent to suggest that the order of presentation of the web page is affected by the system of MacKenty.

In contrast, the claimed invention changes the order of presentation of the web page, according to the use of selected tags. The background section of the current application notes, *The present invention recognizes that one problem with talking web browsers is that an overview of a page is unavailable*

because this type of web browser moves from topic to topic in a sequential manner¹. The inventive method tackles this problem by providing that the first text is presented prior to presenting other text within the document that is not associated with the selected tag². By presenting identified text first (e.g., all the headings on the page) the user can be quickly given an overall idea of what is contained on the page and can decide more quickly whether the current page contains the desired information.

Thus, both MacKenty and the presently claimed invention can recognize differences between, for example, headings and body text and both can present them in such a way that the user can recognize the differences, only the presently claimed invention can reorder the presentation to present more important text first.

MacKenty does not appear to either disclose or suggest the step of *audibly presenting the document to a user, wherein if an occurrence of the selected tag is identified, the first text is presented prior to presenting other text within the document that is not associated with the selected tag*. Therefore, the rejection of claim 1 is overcome. Independent claims 7, 17, 23, 33, and 38-40 have been rejected for similar reasons and thus the rejection of these claims, as well as the rejection of their dependent claims is overcome.

Additionally, independent claim 7, which is representative of claims 23, 38, and 40, recites identifying multiple occurrences of a selected tag thus:

7. (Currently amended) A computer-implemented method for presenting a document, the computer-implemented method comprising:
 - receiving the document;
 - parsing the document to identifying occurrences of a selected tag, the selected tag having a type of emphasis that has been chosen for early presentation, wherein each occurrence of the selected tag is associated with respective text;
 - responsive to identifying an occurrence of the selected tag, placing the respective text in a data structure and associating an emphasis level with the respective text; and
 - responsive to a completion of parsing the document, audibly presenting the document to a user, wherein each respective text in the data structure is presented to the user, using an associated emphasis level, prior to presenting other text in the document that is not associated with the selected tag.

¹ Application, page 4, lines 3-9

² Claim 1

This claim emphasizes the fact that when multiple occurrences of a tag are found, each occurrence and the corresponding text, is saved in a data structure until the entire document is parsed and then the information in the table is presented first, *prior to presenting other text in the document that is not associated with the selected tag*. This recitation, even more clearly than the recitation of claim 1, shows the distinctions over MacKenty, since multiple pieces of text are presented prior to the rest of the document, because they were associated with a specific tag. Because MacKenty is not affecting the order of presentation, MacKenty does not even place *the respective text in a data structure*, nor does this patent meet the limitation of *audibly presenting the document to a user, wherein each respective text in the data structure is presented to the user, using an associated emphasis level, prior to presenting other text in the document that is not associated with the selected tag*.

Additionally, at least some of the dependent claims contain additional subject matter that is patentably distinct over the prior art.

Claim 8 recites, *wherein the data structure is one of a list, a linked list, and a database*. As mentioned above, MacKenty is not placing text into a data structure. MacKenty does not show that the data structure into which text is placed is a list, a linked list, or a database. This rejection is independently overcome.

Therefore, the rejection of claims 1-33, and 38-41 under 35 U.S.C. § 103 has been overcome.

II B. Claims 34-37

Claims 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKenty in view of Noguchi (U.S. Patent No. 5,983,184).

It is noted that claim 34-37 are all dependent claims that depend from claim 33. The rejection of independent claim 33 was shown to be overcome above; therefore the rejection of these dependent claims is overcome. It is submitted that Noguchi does not make up for the deficiencies of MacKenty discussed above, nor has the rejection suggested that they do. Therefore, this rejection is overcome.

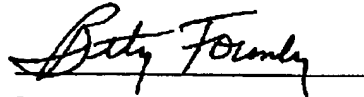
III. Conclusion

It is respectfully urged that the subject application is patentable over MacKenty and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 1, 2005

Respectfully submitted,



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